David L. Meier
Director
Legislative & Regulatory Planning

Cincinnati Bell Telephone®

201 E. Fourth Street
P. O. Box 2301
Cincinnati, Ohio 45201-2301
Phone: (513) 397-1393
Fax: (513) 241-9115

October 9, 1996

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D. C. 20554

In the Matter of:)
)
Implementation of Section 402(b)(1)(A))
of the Telecommunications Act of 1996)

CC Docket No. 96-187

Dear Mr. Caton:

Enclosed are an original and sixteen copies plus two extra public copies of the Comments of Cincinnati Bell Telephone Company in the above referenced proceeding. A duplicate original copy of this letter and attached Comments is also provided. Please date stamp this as acknowledgment of its receipt and return it. Questions regarding these Comments may be directed to Patricia Rupich at the above address or by telephone on (513) 397-6671.

Sincerely,

David L. Meier

Enclosure

cc: International Transcription Services, Inc.
Jerry McKoy, Common Carrier Bureau (paper copy and diskette)

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of

Implementation of Section 402(b)(1)(A) of the Telecommunications Act of 1996	)	CC Docket No. 96-187

COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY

Christopher J. Wilson
FROST & JACOBS
2500 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202
(513) 651-6800

Thomas E. Taylor
Sr. Vice President-General Counsel
Cincinnati Bell Telephone Company
201 East Fourth Street, 6th Floor
Cincinnati, Ohio 45202
(513) 397-1504

Attorneys for Cincinnati Bell
Telephone Company

Dated: October 9, 1996

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SUMMARY

In these comments, CBT generally supports the Commission's efforts to implement the streamlined tariff procedures of Section 402(b)(1)(A) of the 1996 Act. However, CBT points out that Section 402 was in no way intended to impose any additional burdens on incumbent LECs and, thus, urges the Commission not to increase the number of days required for tariff filings in those instances where the current periods are already less than 7 or 15 days. In addition, CBT submits that the Commission must ensure that any new rules promulgated in this proceeding do not eliminate any of the streamlined tariff provisions already afforded companies such as CBT under the Commission's Optional Incentive Regulation ("OIR") rules.

With respect to the proper interpretation of the term "deemed lawful," CBT submits that by specifying that LEC tariffs shall be "deemed lawful," Congress intended to change the current regulatory treatment of LEC tariff filings. Thus, CBT generally agrees with the Commission's first interpretation of "deemed lawful" which would treat tariffs filed under Section 204(a)(3) similar to tariffs that are currently found lawful by the Commission after an investigation. Whatever interpretation of "deemed lawful" is ultimately adopted by the Commission, however, CBT submits that it must be applied to all carriers in a similar manner.

With respect to notice periods for tariff changes, CBT urges the Commission to establish shorter periods for changes that do not affect rates. CBT submits that it would be contrary to the goal of the 1996 Act to exclude new services from streamlining and, therefore, CBT urges further streamlined treatment of new services and rate restructurings by eliminating the need for

Part 69 waivers. CBT agrees with the Commission that electronic filing of tariffs, petitions and replies could aid in the streamlining of the tariff process. However, CBT believes that an electronic filing system must be carefully designed to ensure that true streamlining is actually achieved for all carriers and that adequate security measures are in place.

CBT believes that a post-effective review policy for new services and rate reductions could be an effective means of accomplishing the streamlining desired by Congress under the 1996 Act. CBT recommends that the Commission reduce the supporting documentation required with LEC tariff filings, including cost support. CBT also recommends that the notice period for tariffs containing both rate increases and decreases be determined by examining the net change at the basket or access category level. Maintaining the confidentiality of carrier-specific information is also vital in a competitive environment. Therefore, CBT suggests that in the usual case competitors' requests to review such information should be rejected.

CBT also agrees with the Commission that the annual access tariffs are eligible for filing on a streamlined basis since they contain rate increases and/or decreases. However, the TRPs should be filed concurrently with the annual access tariffs. Finally, CBT submits that procedural rules would help expedite the investigation hearing process. However, the rules must be simple and should not limit a party's ability to present its case.

Cincinnati Bell Telephone Company
October 9, 1996

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of		
Implementation of Section 402(b)(1)(A) of the Telecommunications Act of 1996	)	CC Docket No. 96-187

COMMENTS OF CINCINNATI BELL TELEPHONE COMPANY

Cincinnati Bell Telephone Company ("CBT"), an independent, mid-size local exchange carrier ("LEC"), submits these comments in response to the Federal Communications Commission's ("Commission") September 6, 1996 Notice of Proposed Rulemaking ("NPRM") in the above-captioned proceeding. Pursuant to Section 402 (b)(1)(A) of the Telecommunications Act of 1996 (the "1996 Act"), the Commission seeks comment on tariff streamlining filing requirements for local exchange carriers.

I. INTRODUCTION

CBT supports the Commission's efforts to implement the streamlined tariff procedures of Section 402(b)(1)(A) of the 1996 Act.[1] CBT believes that in enacting the streamlined tariff

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[1] In a letter submitted to the Industry Analysis Division of the Common Carrier Bureau on June 24, 1996, CBT recommended that small and mid-size LECs be treated as non-dominant carriers since they no longer possess market power in the new global telecommunications market. See, CBT's response to Public Notice DA 96-798 and IAD 96-150 seeking suggestions on forbearance. See also, the letter submitted by ITTA in response to the same Public Notice.

provisions of the 1996 Act Congress was trying to "speed up FCC action for phone companies"[2] and in no way intended to impose any additional burdens on incumbent LECs. Thus, although Section 402 sets forth seven days for rate decreases and 15 days for increases, this should not be interpreted to increase the number of days required for tariff filings in those instances where the current periods are already less than 7 or 15 days.

In addition, CBT submits it would be inappropriate and in conflict with the de-regulatory nature of the 1996 Act to place additional burdens on LECs when filing tariffs. More specifically, as a company filing under Optional Incentive Regulation ("OIR"), CBT submits that the Commission must ensure that any new rules promulgated under this proceeding do not eliminate any of the streamlined tariff provisions afforded companies under OIR.

The Commission adopted OIR for small and mid-size LECs in 1993[3] in recognition of the increased challenges faced by smaller carriers, including competition from neighboring RBOCs, new expectations from customers, increased demand for quality service and responsiveness, and the advent of new technologies.[4] The regulatory reforms were designed to "foster efficient investment decisions, and to provide companies with more flexibility to meet changing market conditions."[5] The pricing flexibility and streamlined tariff provisions available

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[2] NPRM at n. 11.

[3] Report and Order FCC 93-253 adopted May 13, 1993, Released June 11, 1993.

[4] First Report and Order at ¶ 2.

[5] First Report and Order at ¶ 4.

under OIR were designed to help small and mid-size companies be more responsive in the evolving competitive environment. Under OIR companies divide services into the same baskets as under the price cap rules and have the flexibility to make in-band price changes on 14 days notice.[6] In addition, new services are presumed lawful and may be introduced on 14 days notice without cost support, if the rates are no higher than that of a neighboring RBOC and the services are similar.

Since the release of the OIR Order, the challenges faced by small and mid-size companies have continued to increase. They must now be able to respond to competition not just from neighboring RBOCs, but from any new entrant. Now more than ever small and mid-size LECs need additional flexibility to respond to the ever increasing competitive challenges of the telecommunications market. Clearly, if the flexibility granted to companies choosing OIR was appropriate in 1993 it is equally as appropriate in 1996. Therefore, the Commission must not in any way make the tariff filing process more restrictive or place additional burdens on the LEC. CBT submits that any such changes would be contrary to the intent of the 1996 Act.

II. STREAMLINED LEC TARIFF FILINGS

In Section III of the NPRM the Commission sets forth several tentative conclusions on the Congressional intent of Section 402 of the 1996 Act and seeks comment on the proper interpretation of "deemed lawful" in amended Section 204(a)(3). CBT agrees with the

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[6] The bands established for OIR are +/- 10% of the service category revenue requirement over the two year tariff period, aggregated to the basket level such that revenues under the new rates do not exceed the revenue requirement.

Commission's tentative conclusion that "Congress intended to foreclose Commission exercise of its general authority under Section 203(b)(2) to defer up to 120 days tariffs that LECs may file on seven or fifteen days' notice."[7] CBT believes that a plain reading of the 1996 Act clearly indicates that Congress intended for LEC tariff filings to become effective in 7 or 15 days. CBT believes that the unmistakable intent of Section 204(a)(3) forecloses general Commission authority under Section 203(b)(2).

CBT also agrees with the Commission that "by specifying that LEC tariffs shall be 'deemed lawful,' Congress intended to change the current regulatory treatment of LEC tariff filings."[8] This agreement, however, leaves open the question of what deemed lawful means in the context of Section 204(a)(3). The Commission examines two possible interpretations of "deemed lawful."

The first interpretation would treat tariffs filed under Section 204(a)(3) similar to tariffs that are currently found lawful by the Commission after an investigation. Thus, while complaints could still be filed under Section 208 and the Commission could initiate an investigation under Section 205, if the investigation finds that the tariff is unlawful, the LEC could not be held liable for damages for complying with the tariff prior to that determination. CBT submits that this is not an unreasonable interpretation and is consistent with Congressional intent of moving to a pro-competitive, de-regulatory environment. Although this interpretation would still not result in regulatory parity between incumbent LECs and new competitive access

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[7] NPRM at ¶ 6.

[8] NPRM at ¶ 7.

providers, it would not disadvantage LEC customers relative to customers of competitive access providers. Specifically, customers would have the same remedies available to them regardless of whether they purchase services from a LEC or a LEC's competitor. Thus, rather than limiting customers' remedies, CBT submits that Congress was being cognizant of the need for equal treatment of carriers in a competitive environment and as such was simply according customers of these carriers the same remedies.

CBT submits that the Commission's alternative interpretation of "deemed lawful" is not what would be construed from a clear reading of Section 204(a)(3) and would not further the pro-competitive, de-regulatory intent of the 1996 Act. This alternative interpretation would treat LEC tariffs no differently than they are currently treated except for the shorter notice periods. If Congress intended there to be no change in status, it would not have included the deemed lawful language in Section 204(a)(3). Thus, CBT submits that the Commission should reject its alternative interpretation of "deemed lawful."

CBT submits that any interpretation of "deemed lawful" that is adopted by the Commission must treat all carriers in a similar manner. Clearly, Congress did not intend for its streamlined tariff process to be encumbered with any additional regulations on one particular set of competitors in the telecommunications market. Under the provisions of Section 204(a)(3), any new or revised charge, classification, regulation, or practice is lawful unless the Commission takes affirmative action pursuant to Sections 204(a)(1), 205, or 208.

III. ELIGIBLE LEC TARIFFS

The Commission Should Implement Shorter Notice Periods For Changes That Do Not Affect Rates

CBT agrees with the Commission's tentative conclusion that all LEC tariff filings are eligible for streamlined treatment.[9] CBT believes that the 7 and 15 days that are specified for rate decreases and increases, respectively, are only intended to set clear parameters for tariffs that include rate changes. As such, CBT believes the Commission has the authority to establish even shorter notice periods for tariff filings that do not include rate changes. CBT submits that the Commission should implement additional streamlining for tariffs that do not include rate changes since most areas of concern in tariff filings are rate related. If, as Congress has determined, it is appropriate to make rate changes on 7 or 15 days notice, it would be unreasonable to require a longer notice period for changes that do not affect rates. Thus, CBT recommends that any tariff changes that do not affect rates should be effective on not more than seven days notice.

CBT submits that allowing a shorter notice period for non-rate changes adequately protects customers, especially since many revisions to the terms and conditions of its access tariff are in response to customer requests. In the few instances in which a customer does not believe that the changes are appropriate, they would have the ability to file a complaint under Section 208. CBT believes that the ability of carriers to make changes to the terms and

[9] NPRM at ¶ 17.

conditions of their tariffs as quickly as possible in response to customers needs is essential in the new competitive telecommunications market.

New Services Are Eligible For Streamlined Treatment

CBT believes that Section 204(a)(3) applies to new services as well as changes to existing services. Applying the Commission's proposed interpretation that the streamlining provisions apply only to existing services[10] reads additional restrictions into Section 204(a)(3) beyond what a plain reading of the statute would provide. As the Commission correctly observed in its Price Cap Streamlining proposal,[11] its current rules slow the introduction of new services and stymie the emergence of competition. It would be contrary to the goal of the 1996 Act to read Section 204(a)(3) in a manner that would exclude new services from the streamlining provisions of the 1996 Act.

CBT stresses here that under no circumstances should the Commission interpret Section 204(a)(3) as lengthening the notice period for the introduction of new services. This is particularly important to OIR companies since the OIR rules allow the introduction of new services on 14 days notice.[12] Thus, OIR LECs should not be required under the new streamlining process to increase the notice period for the introduction of new services.

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[10] NPRM at ¶ 18.

[11] Price Cap Performance Review for Local Exchange Carriers, CC Docket No. 94-1, Second Further Notice of Proposed Rulemaking at ¶ 38.

[12] Sections 61.50(i) and 61.58(e)(2).

CBT recommends that not only should the Commission include new services in the shorter notice periods contemplated under Section 204(a)(3), but it should also take this opportunity to further streamline the process by which new services are introduced and rates are restructured. Specifically, CBT recommends that the Commission eliminate the need for Part 69 waivers for the introduction of new services, and the revision of existing rate structures. As CBT indicated in its comments in the Price Cap proceeding, the introduction of new services is in the public interest and should not require the two-step process of filing a waiver request and then the tariff review process. Likewise, in a competitive environment, having the ability to promptly restructure rates is equally as important to LECs as having the ability to rapidly introduce new services.

Part 69 waivers have been a major concern for LECs because of the length of time required to resolve waiver applications. For LEC customers, this waiver process appears to only delay the introduction of a new or restructured service they wish to purchase. CBT asserts that many waiver applications are challenged by competitors simply to delay the introduction of the new or restructured service. Many such challenges focus not on public harm which might result from the introduction or revision of the service, but rather on issues surrounding the rates and costs of the service. Challenges to rates and costs should be addressed in the tariff review process. Even with the shortened notice periods required under Section 204(a)(3), parties will still be able to challenge rates and costs.

Technological change is a driving force behind rate restructuring. If LECs are forced to go through a lengthy waiver process in order to respond to technological changes, they will

be placed at a competitive disadvantage relative to new entrants who can deploy new technologies without delay. Such regulation slows the deployment of new technologies, which is clearly not in the public interest. CBT submits that any Commission rule or regulation which hampers the development of competition or the deployment of advanced technologies is inconsistent with the 1996 Act and should therefore be eliminated. Thus, CBT believes that the Commission should expeditiously eliminate the need for Part 69 waivers for new service introductions and rate restructures in order to facilitate the pro-competitive telecommunications market envisioned by Congress. To do otherwise would defeat the purpose of Section 204(a)(3).

IV. STREAMLINED ADMINISTRATION

Electronic Filing Recommended

CBT agrees with the Commission that electronic filing of tariffs, petitions and replies could aid in the streamlining of the tariff process. However, CBT believes that an electronic filing system must be carefully designed to ensure that true streamlining is actually achieved for all carriers and that adequate security measures are in place. If carriers are required to continue to submit paper copies of all filings as well as submit them electronically, no streamlining will be accomplished. CBT believes the FCC should be responsible for organizing and maintaining all aspects of an electronic tariff filing system. Included in this system should be some type of return receipt notification process to let carriers know that their tariffs have been received. The FCC must decide which database to use for electronic filing and should be responsible for

providing adequate information on how to use the system to all persons desiring access in order to retrieve and review tariff information.

CBT agrees that the security of tariff filings and related documents is critical and must be a primary concern in the design of an electronic tariff filing system. CBT believes that submission of tariff documents via the Internet will provide the most secure means of transmission if the proper encryption techniques are in place. CBT recommends that the Commission issue a further notice of proposed rulemaking specifically to address the proper design of a secure electronic filing system.

Post-Effective Tariff Review

The NPRM requests comment on whether the Commission can and should adopt a policy of relying exclusively on post-effective tariff review to ensure compliance with Title II of the Communications Act.[13] CBT believes that a post-effective review policy for new services and rate reductions could be an effective means of accomplishing the streamlining desired by Congress under the 1996 Act. Post-effective tariff review for new services would shorten the time it takes to get new services to the market, which benefits the public. Likewise, rate reductions benefit the public and could also be subject to post-effective review.

To the extent that post-effective tariff review is deemed appropriate, the Commission should not retain the discretion to conduct a pre-effective tariff review in individual cases. Such a policy could lead to the inconsistent treatment of parties providing service, and increase the burden for both the LECs and the Commission.

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[13] NPRM at ¶ 23.

Pre-Effective Tariff Review

The Commission seeks comments, assuming that it continues to undertake a pre-effective review of tariffs, on its proposed plan to require LEC tariffs filed on a streamlined basis to be accompanied by an analysis showing that they are lawful under the applicable rules, a summary and legal analysis to expedite the tariff review and summaries of the proposed tariff revisions that provide a more complete description of the filing than under current requirements.[14]

Regardless of whether the Commission continues to rely on pre-effective tariff review for some or all classes of tariffs, it must not impose additional requirements on LECs to support their filings. All the measures being proposed by the Commission in paragraph 25 of the NPRM increase the burden on LECs. This can hardly be considered streamlining.

The measures proposed by the Commission would also increase the expense associated with filing tariffs, particularly for the many small and mid-size companies. Any requirement that involves legal documentation and opinions could force CBT and other small and mid-size LECs to pay additional legal fees for each new product they bring to market. Such additional expenses would have a chilling effect on the introduction of new services. This would not be in the public interest.

Rather than placing additional burdens on LECs to support their tariff filings, CBT recommends that the Commission reduce the supporting documentation required with LEC

[14] NPRM at ¶ 25.

tariff filings. In particular, cost support should no longer be required.[15] This is another example of how the Commission can streamline the tariff process and advance the competitive telecommunications environment by eliminating asymmetric regulations. Once again, the public interest would be served by this change because it would shorten the time in which it takes to bring a new service to the market.

The Commission also seeks comments on whether it should adopt rules establishing a presumption of unlawfulness for certain categories of tariff filings.[16] CBT believes it is inappropriate and unnecessary to automatically presume any filing to be unlawful. Such rules would shift the role of determining the lawfulness of tariffs from the Commission or party filing a complaint to the LEC. This would be contrary to the Congressional intent of this section that "[t]o block such changes, the FCC must justify its actions."[17]

The Commission tentatively concludes that the 15 day notice period should apply for tariff filings which contain both rate increases and decreases.[18] The Commission suggests that carriers wishing to take advantage of the 7-day notice period for a rate decrease can file a separate tariff transmittal. CBT does not consider the Commission's proposed approach to be

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[15] Under OIR cost support is not required for new services that are similar to those of a neighboring Price Cap LEC where the rate is no higher than that of the neighboring LEC. Under no circumstances should any rules adopted to implement Section 204(a)(3) eliminate the streamlining afforded carriers under OIR.

[16] NPRM at ¶ 25.

[17] NPRM at n. 11.

[18] NPRM at ¶ 26.

streamlining. As an alternative, CBT suggests that carriers be permitted to aggregate the rate increases and decreases in a tariff transmittal on a basket or access category level and file based on the net change.

Thus, if the net result of all the rate changes for the basket is an increase, the tariff should be filed on 15 days notice. If the net change is zero or a decrease, the filing could be made on 7 days notice. Carriers would still use the standard tariff symbols indicating individual rate element increases or decreases so that the Commission and interested parties could easily identify the specific contents of the tariff.

The Commission explores several issues related to the establishment of new filing periods for petitions to suspend and reject tariffs filed under the streamlined provisions of Section 204(a)(3) if the Commission adopts a pre-effective tariff review process.[19] CBT supports the dates the Commission proposes for filing petitions and replies. However, CBT does not support the Commission's proposal that all such petitions and replies be hand-delivered to all affected parties. Such a requirement would place additional burdens on all parties relative to the current means of delivering petitions and replies and would not streamline the process. With the electronic filing system the Commission contemplates as part of the streamlining process, CBT submits that it should be possible to develop a simple, effective means of delivering petitions and replies electronically. At a very minimum, such petitions and replies could be delivered via fax and followed up with the original sent by mail or other delivery service.

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[19] NPRM at ¶ 27-28.

CBT agrees with the Commission's proposal to disallow a public comment period during the 7/15 day notice period in which LEC tariff filings are to become effective. To allow a comment period during this period would not contribute to the goal of streamlining the tariff process which was established by the Congress. The rules provide an opportunity for a petition to be filed against a tariff filing where a party has specific concerns regarding that filing.

The Commission concludes that it will be unable to resolve requests for confidentiality on a case-by-case basis during the 7 and 15 notice periods[20] and solicits comment on the use of a standard protective order. While CBT understands the Commission's desire to establish a standard protective order in the tariff context and generally supports the development of a model protective order for those circumstances where all parties agree that some disclosure of information to competitors is acceptable, CBT is concerned that no standard could be developed which would serve in the myriad of situations in which confidential information must be protected in a tariff proceeding. As the Commission has recently observed:

> In a competitive environment, disclosure of direct cost data carries a significant risk of competitive harm by providing competitors with information necessary to under-price a service or product.[21]

Once competitively sensitive information is released outside the Commission, the submitting company has no ability to control how the information is used or misused.

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[20] NPRM at ¶ 29.

[21] In Re Intoccia FOIA Request, 10 FCC Rcd. 13462 (1995).

The risk that an unprincipled competitor will willfully flout a protective order is present in any protective order situation. In the current fast-changing environment, replete as it is with corporate downsizing and experts-for-hire, the officer at a competitor who signs a protective order this month may well find himself marketing his telecommunications expertise as a consulting expert next month. The risk of inadvertent transmission of confidential information in this environment is overwhelming. Since proof of violation of a protective order, especially inadvertent violation, is nearly impossible, while the damage from such violation can be devastating, CBT respectfully submits that the better course is for the Commission to determine that the new competitive environment has effected a fundamental change in the nature of tariff proceedings such that the public interest concerns that underlie the history of open tariff proceedings are now outweighed by the submitter's need to protect competitively sensitive information. Accordingly, CBT suggests that in the usual case, competitors' requests to review competitively sensitive information should be rejected.[22]

Annual Access Tariff Filings Eligible for Streamlined Filing

CBT agrees with the Commission that the annual access tariffs are eligible for filing on a streamlined basis since they contain rate increase and/or decreases.[23] As recommended earlier in these comments, CBT submits that the annual tariff filing be made on either 7 or 15 days notice based upon the net change in rate levels for the filing. The Commission also proposes that price cap and OIR carriers file their tariff review plans prior to the submission of their

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[22] CBT Comments and Reply Comments in CC Docket No. 96-55.

[23] NPRM at ¶ 31.

annual tariff.[24] CBT submits that Section 204(a)(3) provides no support for requiring the TRP to be filed in advance of the tariff. The purpose of the TRP is to support the tariff filing. The suggestion that this supporting information sans rates be submitted prior to the tariff filing to allow additional time for Commission and public review would be contrary to the streamlining intended by the 1996 Act. At a minimum, CBT recommends that the TRP be filed concurrently with the annual access tariff as the Commission proposes for rate-of-return LECs. The Commission does not present any justification for the disparate treatment between price cap and rate-of-return LECs. It appears that the only reason for submitting price cap and OIR TRPs earlier is to accommodate the Commission's need or desire for additional time to review the more complex filings. CBT does not believe that streamlining is only to be implemented when convenient for the Commission. Since the sole purpose of the TRP is to support the rates in the annual access filing, all TRPs should be submitted concurrently with the annual tariff filing. Ideally, CBT recommends that the TRP be eliminated for all carriers in order to eliminate another instance of asymmetric regulation and to promote competition between all carriers on equal terms.

Procedural Rules Encouraged To Expedite The Investigation Process

CBT submits that simple procedural rules would help expedite the investigation hearing process. However, the rules must be simple and should not limit a party's ability to present

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[24] In suggesting that CBT file its TRP in advance of its access tariff the Commission indicates that carriers operating under OIR file TRPs containing PCI adjustments and exogenous cost changes. OIR contains the same baskets as price cap regulation and does allow for exogenous cost changes, however it does not include productivity factors, PCIs, or APIs.

its case. CBT supports the use of a pro forma order to terminate investigations. Informal mediation may also prove to be a useful method of speeding up investigations, if it is not mandatory but rather made available as an option for parties who are interested in using this method. If informal mediation is allowed, the Commission should establish some basic procedures so that parties know prior to entering the mediation process what the rules are.

Existing Notice Requirements Must Not Be Made More Restrictive

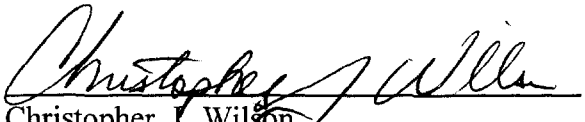
CBT agrees with the Commission that the existing rules specifying notice periods for LEC tariffs should be amended to conform to the streamlined notice periods under Section 204(a)(3).[25] However, CBT reiterates that in conforming the existing rules, the Commission must not lengthen any notice periods nor place any additional burdens on LECs. For example, the Commission should not increase the 14-day notice period currently available to OIR and price cap LECs for within-band rate changes or allowed for certain new services under OIR. Any attempt to increase notice periods would be in conflict with the intent of streamlining.

[25] NPRM at ¶ 34.

V. CONCLUSION

CBT respectfully requests the Commission to consider these comments as it continues to develop rules for the implementation of Section 402(b)(1)(A) of the 1996 Act, providing for streamlined tariff filings for LECs.

Respectfully submitted,



Christopher J. Wilson
Jack B. Harrison
FROST & JACOBS
2500 PNC Center
201 East Fifth Street
Cincinnati, Ohio 45202
(513) 651-6800

Thomas E. Taylor
Sr. Vice President-General Counsel
Cincinnati Bell Telephone Company
201 East Fourth Street, 6th Floor
Cincinnati, Ohio 45202
(513) 397-1504

Attorneys for Cincinnati Bell
Telephone Company

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